



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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March 11, 1998

H. Michael Keller
Vancott, Bagley, Cornwall & McCarthy
Suite 1600
50 South Main Street
Salt Lake City, Utah 84144-0450

Re: Deficient Notice of Intention to Commence Small Mining Operations, Freemont Corporation, TJ Clark Mine, S/015/076, Emery County, Utah

Dear Mr. Keller:

Thank you for the Notice of Intention, received by the Division February 19, 1998, submitted on behalf of the Freemont Corporation for the proposed TJ Clark small mining project located in Section 2, T23S, R6E, SLBM, Emery County, Utah. The notice does not satisfy the requirements of Rule R647-3 of the Utah Mined Land Reclamation Act of 1975, Title 40-8, et seq., Utah Code Annotated.

The following information is still required:

The legal description listed in the notice form covers an area greater than the areas shown in Exhibits B and C. The acreage included in the legal description in the submission encompass more than five acres. The legal description in the notice may more accurately refer to the borders of the mineral lease and not the proposed disturbed area. Please clarify this description.

For clarification purposes, the proposed project references five mineral leases with the School and Institutional Trust Lands Administration. From communications with SITLA we have verified that your lease is ML 43260 for metalliferous minerals and the other leases (ML 42844, ML 42844-A, ML 45717, and ML 47532) are held by the other lessees listed in the notice. Leases ML 42844 and ML 42844-A are included in the existing small mine operation notice S/015/040 filed with the Division.

The proposed project area legal description overlaps areas currently permitted as small mining operation S/015/040 with the Division. Exhibit A included with the notice highlights the existing Cowboy Mine giving the impression this is the proposed project location. Exhibit B included with the notice provides a different proposed project location. Please confirm that the location in Exhibit B is the actual proposed project location.

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The Minerals Rules do not specifically address the possible overlap of underground mining operations filed under separate notices. These overlapping leases will need to be resolved with SITLA.

The notice did not include any variance requests, although the area described in the notice has a number of existing mining related disturbances. These disturbances may make compliance with the 14 Operations and Reclamations practices difficult or inappropriate. Please provide a map which identifies the existing disturbances within the proposed project area. Please confirm that no variances are requested for this proposed project. Variance requests are not required for features which are nonexistent at the site.

We have received two letters from other lessees concerning your proposed TJ Clark Mine operations. The Rockland Corporation and Miracle Rock Mining & Research have raised concerns or objections to your proposed operations and have requested additional information regarding your notice. We will be responding to their letters shortly and will copy you on our response.

The Division will suspend further processing of this notice pending receipt of the requested information and the resolution of overlapping leases from SITLA. In reply, please refer to our file number S/015/076. Please call me at (801) 538-5267 or Wayne Hedberg at (801) 538-5286 if you have any questions. Thank you for your cooperation.

Sincerely,



Anthony A. Gallegos
Senior Reclamation Specialist

jb
cc: Will Stokes, SITLA ML 43260
T. J. Clark, Freemont Corp.
Elmer G. Heinrich, The Rockland Corporation
Dave Taylor, Miracle Rock Mining & Research
Wayne Hedberg, Minerals Program Permit Supervisor
Tracking File
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